



DEPARTMENT OF HUMAN RESOURCES

EMPLOYMENT SECURITY ADMINISTRATION

1100 NORTH EUTAW STREET
BALTIMORE, MARYLAND 21201
383 - 5032

STATE OF MARYLAND

HARRY HUGHES
Governor

KALMAN R. HETTLEMAN
Secretary

BOARD OF APPEALS

THOMAS W. KEACH
Chairman

HAZEL A WARNICK
MAURICE E. DILL
Associate Members

SEVERN E. LANIER
Appeals Counsel

CLAIMANT: Kevin W. Alexander

DECISION NO.: 714-BR-82

DATE: May 27, 1982

APPEAL NO.: 03276

S.S.NO.:

EMPLOYER: Elderburg Arc Welding Company

L.O NO.: 15

APPELLANT: CLAIMANT

ISSUE: Whether the claimant is entitled to a larger amount of benefits under the provisions of Section 3(b)(1) of the Law; whether the Claimant's employment with the Elderburg Arc Welding Company was covered employment within the meaning of Section 20(g) (8)(xi) of the Law.

NOTICE OF RIGHT OF APPEAL TO COURT

YOU MAY FILE AN APPEAL FROM THIS DECISION IN ACCORDANCE WITH THE LAWS OF MARYLAND. THE APPEAL MAY BE TAKEN IN PERSON OR THROUGH AN ATTORNEY IN THE SUPERIOR COURT OF BALTIMORE CITY, OR THE CIRCUIT COURT OF THE COUNTY IN MARYLAND IN WHICH YOU RESIDE.

THE PERIOD FOR FILING AN APPEAL EXPIRES AT MIDNIGHT June 26, 1982

- APPEARANCES -

FOR THE CLAIMANT:

FOR THE EMPLOYER:

REVIEW ON THE RECORD

Upon a review of the record in this case, the Board of Appeals reverses the decision of the Appeal Referee. Since there was no school credit obtained by this employment, and since the Claimant's work was no part of his educational courses, the Board deems this to be covered employment, not exempted under Section 20(g) (8)(xi) of the Maryland Unemployment Insurance Law.

DECISION

The Claimant was employed by Elderburg Arc welding company, within the meaning of Section 20(g) and 3(b) of the Maryland Unemployment Insurance Law. His wages will be considered covered wages and included in the calculation of his eligibility for unemployment insurance benefits.

The decision of the Appeals Referee is reversed.



Chairman



Associate Member

K:D

gm

COPIES MAILED TO:

CLAIMANT

EMPLOYER

UNEMPLOYMENT INSURANCE - WESTMINSTER



DEPARTMENT OF HUMAN RESOURCES
 EMPLOYMENT SECURITY ADMINISTRATION
 1100 NORTH EUTAW STREET
 BALTIMORE, MARYLAND 21201
 383-5640

STATE OF MARYLAND
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BOARD OF APPEALS

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 Associate Members

ROBERT E. LANIER
 Appeals Counsel

GARY SMITH
 Chief Hearings Officer

- DECISION -

CLAIMANT: Kevin W. Alexander
 DATE: April 12, 1982
 APPEAL NO.: 03276
 S.S. NO.:
 EMPLOYER: Elderburg Arc Welding Company
 LO. NO.: 15
 APPELLANT: Claimant
 ISSUE: Whether the claimant is eligible for benefits pursuant to Section 3(b) of the Maryland Unemployment Insurance Law.

NOTICE OF RIGHT TO PETITION FOR REVIEW

ANY INTERESTED PARTY TO THIS DECISION MAY REQUEST A REVIEW AND SUCH PETITION FOR REVIEW MAY BE FILED IN ANY EMPLOYMENT SECURITY OFFICE, OR WITH THE APPEALS DIVISION, ROOM 515, 1100 NORTH EUTAW STREET, BALTIMORE, MARYLAND 21201, EITHER IN PERSON OR BY MAIL

THE PERIOD FOR FILING A PETITION FOR REVIEW EXPIRES AT MIDNIGHT ON April 27, 1982

- APPEARANCES -

FOR THE CLAIMANT:

Present, accompanied by Warren Alexander & Kathryn Alexander, witnesses

FOR THE EMPLOYER:

Represented by Kenneth Krickler, Owner, witness

FINDINGS OF FACT

The claimant filed an original claim for unemployment insurance benefits at the Westminster local office effective December 20, 1981.

The claimant was employed by the Elderburg Arc Welding Company as a helper at an hourly wage rate of \$3.35 on a part-time basis until May 23, 1981.

Both the claimant and the employer understood that the position was under a work study Program from Westminster Vocational Tech.

That school failed to keep records of such arrangements. The claimant began working on a schedule from May 28, 1981 which included working 24½ hours on June 1 to June 6, 1981 from June 8 to and including June 15, 37 hours. June 15 to the 20th, 40 hours, June 22 to June 27, 40 hours and June 29 to July 7, 53½ hours. The claimant was no longer going to school on or about May 28, 1981 and was formerly graduated on June 16, 1981.

The claimant was working for his employer in a "student work program until he last attended school on or about May 28, 1981. The claimant, during the month of June and the first week of July was working for the employer on a permanent full-time basis not under the work study program.

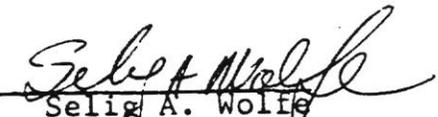
CONCLUSIONS OF LAW

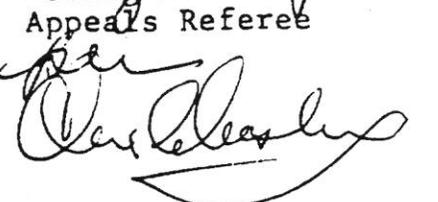
The claimant was not working in covered employment until on or about May 28, 1981 when he stopped attending school and was not working under the student study work program. The claimant was working under covered employment from May 28, 1981 through and including July 7, 1981 for he was working on a permanent full-time basis and his hours were not arranged his school hours.

DECISION

The claimant began working in covered employment when he ceased to be in a student work program as of May 28, 1981. All wages earned by the claimant after that date was in covered employment within the meaning of Section 20(g)11 and 3(b)1 of the Maryland Unemployment Insurance Law.

The determination of the Claims Examiner will be modified accordingly.



Selig A. Wolfe
Appeals Referee


Date of hearing: March 26, 1982
jlt
(1269--Henderson)

Copies mailed to:
Claimant
Employer
Unemployment Insurance - Westminster